

Attorney's Docket No. 1119-2

COMBINED DECLARATION AND POWER OF ATTORNEY(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATIONThis declaration is of the following type: *(check one)*

- | | |
|--|---|
| <input checked="" type="checkbox"/> Original | <input type="checkbox"/> National Stage PCT |
| <input type="checkbox"/> Supplemental | <input type="checkbox"/> Divisional |
| <input type="checkbox"/> Design | <input type="checkbox"/> Continuation |
| | <input type="checkbox"/> Continuation-in-Part (CIP) |

INVENTORSHIP IDENTIFICATION

NOTE: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM FOR MASS SPECTROSCOPYthe specification of which: *(complete (a), (b) or (c))*

- (a) ☐ is attached hereto.
- (b) ☒ was filed on April 16, 2001 as
☒ Serial No. 09/835,943 or
☐ Express Mail No. _____, as Serial No. not yet known
and was amended on _____. *(If applicable)*
- (c) ☐ was described and claimed in PCT International Application No. PCT/
filed on _____ and as amended under PCT Article 19 on _____. *(If any)*

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and that the filing of said specification, if heretofore filed, was authorized by me.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

CLAIM OF PRIORITY OF EARLIER FOREIGN APPLICATION(S) UNDER 35 U.S.C. §119(a)-(d)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

(List prior foreign/PCT application(s) filed within 12 months (6 months for design) prior to this U.S. application.)

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

COUNTRY (or PCT)	APPLICATION NO.	DATE OF FILING (Day/Month/Year)	PRIORITY CLAIMED UNDER 35 USC §119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(List prior U.S. provisional applications.)

PROVISIONAL APPLICATION NO.	FILING DATE (Day/Month/Year)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(List prior U.S. applications or PCT international applications designating the U.S. for benefit under 35 U.S.C. §120.)

U.S. APPLICATIONS		STATUS (Check One)		
U.S. SERIAL NO.	U.S. FILING DATE (Day/Month/Year)	Patented	Pending	Abandoned
0 /		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0 /		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PCT APPLICATIONS DESIGNATING THE U.S.			STATUS (Check One)		
PCT APPLN. NO.	PCT FILING DATE (Day/Month/Year)	U.S. SERIAL NOS ASSIGNED (If any)	Patented	Pending	Abandoned
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

PRIORITY APPLICATION NO.	PRIORITY COUNTRY	FILING DATE (Day/Month/Year)	ISSUE DATE (Day/Month/Year)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith:

Charles R. Hoffmann, Reg. No. 24,102; Ronald J. Baron, Reg. No. 29,281; Gerald T. Bodner, Reg. No. 30,449; Alan M. Sack, Reg. No. 31,874; A. Thomas Kammer, Reg. No. 28,226; Glenn T. Henneberger, Reg. No. 36,074; Irving N. Feit, Reg. No. 28,601; Anthony E. Bennett, Reg. No. 40,910; Gregory W. Bachmann, Reg. No. 41,593; Steven T. Zuschlag, Reg. No. 43,309; Susan A. Sipos, Reg. No. 43,128; Kevin E. McDermott, Reg. No. 35,946; Rod S. Turner, Reg. No. 38,639; Robert C. Morriss, Reg. No. 42,910; James F. Harrington, Reg. No. 44,741; Algis Anilionis, Reg. No. 36,995 and Justin K. Holmes, Reg. No. 42,666 each of them of HOFFMANN & BARON, LLP, 6900 Jericho Turnpike, Syosset, New York 11791; and Daniel A. Scola, Jr., Reg. No. 29,855; Salvatore J. Abbruzzese, Reg. No. 30,152; John Sopko, Reg. No. 41,321; Barry Jacobsen, Reg. No. 43,689; Gloria K. Szakiel, Reg. No. 45,149; Mark E. Baron, Reg. No. 46,150 and Ludomir A. Budzyn, Reg. No. 40,540, each of them of HOFFMANN & BARON, LLP, 1055 Parsippany Boulevard, Parsippany, New Jersey 07054.

PLEASE SEND CORRESPONDENCE TO:

PLEASE DIRECT TELEPHONE CALLS TO:

Irving N. Feit, Esq.
HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, NY 11791

Gregory W. Bachmann, Esq.
(516) 822-3550

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

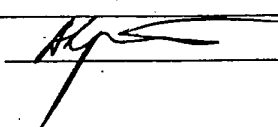
Full Name of Sole or First Inventor: Andrew KRUTCHINSKY

Country of Citizenship: Russia

Residence Address: 500 East 63rd Street, Apt. 13D, New York, New York 10021

Post Office Address: Same as above.

Date: September 11, 2001 Inventor's signature



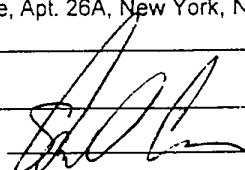
Full Name of Second Joint Inventor: Herbert COHEN

Country of Citizenship: U.S.A.

Residence Address: 180 West End Avenue, Apt. 26A, New York, New York 10023

Post Office Address: Same as above.

Date: 9/11/01 Inventor's signature



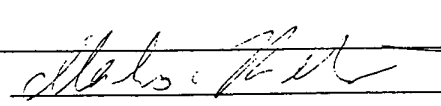
Full Name of Third Joint Inventor: Markus KALKUM

Country of Citizenship: Germany

Residence Address: 430 East 63rd Street, Apt. 5K, New York, New York 10021

Post Office Address: Same as above.

Date: 9/11/01 Inventor's signature



Full Name of Fourth Joint Inventor: Vadim SHERMAN
Country of Citizenship: U.S.A.
Residence Address: 2982 Avenue Z, Brooklyn, New York, 11235
Post Office Address: Same as above.
Date: 09/11/01 Inventor's signature Vadim Sherman

Full Name of Fifth Joint Inventor: Brian CHAIT
Country of Citizenship: Republic of South Africa
Residence Address: 500 East 63rd Street, Apt. 20D, New York, New York 10021
Post Office Address: Same as above.
Date: 10 Sept. 2001 Inventor's signature Brian Chait

NOTE: All above spaces identifying inventors must be completed or deleted before any inventor executes this application

FORM PTO-1395 (Modified)

Recoi

09-26-2001

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark OfficeTo The Honorable Commissioner of Patents and Trademarks, **101854863**

and original documents or copy thereof.

1. Name of conveying party(ies):

1. **Andrew KRUTCHINSKY**
2. **Herbert COHEN**
3. **Markus KALKUM**
4. **Vadim SHERMAN**
5. **Brian CHAIT**

09/20/01

Additional names(s) of conveying party(ies) ___ Yes ☒ No

2. Name and address of receiving party(ies):

Name: **THE ROCKEFELLER UNIVERSITY**Internal Address: **1230 York Avenue**
New York, New York 10021Additional names(s) & address(es)? ___ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other

Execution Date: **09/11/01, 09/11/01, 09/11/01,**
09/11/01, and 09/10/01

4. Application number(s) or registration numbers:

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

U.S. Serial No. **09/835,943**; Filed **April 16, 2001**.

B. Patent No.(s):

Additional numbers attached: ___ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Irving N. Feit, Esq.**Internal Address: **Hoffmann & Baron, LLP****6900 Jericho Turnpike****Syosset, New York 11791**6. Total number of applications and patents involved: **1**7. Total Fee (37 CFR 3.41):.....\$ **40.00**☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account.☐ Authorized to be charged to deposit account.8. Deposit account no: **08-2461****DO NOT USE THIS SPACE**

9. Statement and signature,

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Gregory W. Bachmann
Reg. No. 41,593

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **4**

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09/25/2001 TDI/AZI 00000160 09635943

01 FD:561

40.00 OP

For: ☒ U.S. and/or ☒ Foreign Rights
For: ☒ U.S. Application;
☐ U.S. Provisional Application;
☐ U.S. Patent; or
☐ PCT Application
By: ☒ Inventors or ☐ Present Owners

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS: (inventor(s) or person(s) or entity(ies) who own the invention)

<u>Andrew KRUTCHINSKY</u> Name 500 East 63rd Street - Apt. 13D New York, New York 10021 Address	<u>Herbert COHEN</u> Name 180 West End Avenue - Apt. 26A New York, New York 10023 Address	<u>Markus KALKUM</u> Name 430 East 63 rd Street - Apt. 5K New York, New York 10021 Address
<u>Russian</u> Nationality	<u>American</u> Nationality	<u>German</u> Nationality
<u>Vadim SHERMAN</u> Name 2982 Avenue Z Brooklyn, New York 11235 Address	<u>Brian CHAIT</u> Name 500 East 63rd Street - Apt. 20D New York, New York 10021 Address	
<u>American</u> Nationality	<u>South African</u> Nationality	

(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)

Recorded on _____

Reel _____

Frame

hereby sells, assigns and transfers to

ASSIGNEE:

THE ROCKEFELLER UNIVERSITY

(Type or print name of ASSIGNEE)

1230 York Avenue

New York, New York 10021

Address

U.S.A.

Nationality

and the successors, assigns and legal representatives of the ASSIGNEE,

(complete one of the following)



the entire right, title and interest



an undivided _____ percent (_____%) interest

for the United States and its territorial possessions



and in all foreign countries, including all rights to claim priority,

in and to any and all improvements which are disclosed in the invention entitled:

METHOD AND SYSTEM FOR MASS SPECTROSCOPY

and which is found in

(check and complete (a), (b), (c), (d), (e), (f), or (g))

(a)



U.S. patent application executed on even date herewith

(b)



U.S. patent application executed on

(c)



U.S. provisional application naming the above inventor(s) for the above-identified invention.

☐ Express Mail label No.: _____, mailed:



To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known

(d)



U.S. application Serial No. 09/835,943 filed on April 16, 2001

(e)



International application No. PCT/_____/

- (f) ☐ U.S. Patent No. _____ issued
☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.
- (g) ☐ and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to Letters Patent any re-issue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this

WARNING: Date of signing must be the same as the date of execution of the application if item (a) was checked above.

Date: X September 11, 2001
Date of signing

X [Signature]
Andrew KRUTCHINSKY

Date: X September 11 2001
Date of signing

X [Signature]
Herbert COHEN

Date: X 09/11/01
Date of signing

X [Signature]
Markus KALKUM

Date: X 09/11/01
Date of signing

X [Signature]
Vadim SHERMAN

Date: X 10 Sept. 2001
Date of signing

X [Signature]
Brian CHAIT

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized then it will only be prima facie evidence of execution 35 USC 261. Use next page if notarization is desired.

☐ Notarization or Legalization Page Added.